

PUBLIC

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Torture / Fear of torture and ill-treatment /
Fear for safety

2 July 1998

PEOPLE'S REPUBLIC OF CHINA Zhu Shengwen, aged 51, vice-mayor of Harbin,
Heilongjiang province,
Fan Zhen (f), wife of Zhu Shengwen

There are grave concerns for the safety of Zhu Shengwen and his wife, Fan Zhen, both of whom have been detained incommunicado since October 1996. They are both believed to have been tortured and to remain at serious risk of torture and ill-treatment.

Zhu Shengwen is reported to be currently held at the Daoli district Detention Centre in Harbin city, Heilongjiang province. On 30 April 1998 he was convicted of corruption and sentenced to life imprisonment after reportedly being severely tortured in order to force a confession. The refusal by the authorities to allow his family to visit him in prison goes against normal practice for convicted prisoners.

Fan Zhen, arrested a few days after her husband, is believed to have been brought to trial in June and charged with failing to report her husband's alleged crimes -- though the trial was subsequently adjourned without a verdict being announced. Her family believe she has been detained in order to force her to incriminate her husband.

According to Zhu Shengwen's family there has been complete secrecy surrounding his case, violating Chinese law in several respects, including the right of early access to a lawyer which, under the revised Criminal Procedure Law, in force since January 1997, should be guaranteed shortly after detention. Zhu Shengwen only gained access to a lawyer one week prior to the start of his trial in December 1997.

At the trial, Zhu Shengwen reportedly contested the charges against him, suggesting that he was the victim of a political framing. He also stated that his confession had been extracted from him under torture by special investigators assigned to his case. The trial was adjourned and Zhu Shengwen requested to submit a statement in writing to the court.

In the 34-page statement he subsequently wrote - a copy of which Amnesty International has received - Zhu Shengwen gives a harrowing account of the ordeal to which he was subjected during his detention, including torture. He stated that during one session of torture by four interrogators: "*they took turns punching me in the abdomen while violently twisting and lifting my arms from behind to such height that the wrenching pain made me almost faint. Because I was still locked to the chair, there was no way for me to protect myself. All I could do was scream.*" He describes how, during another session, he was punched and kicked and given repeated electric shocks with an electric baton causing him to roll from one end of the floor to the other, screaming and convulsing hysterically.

Having later retracted his confession, Zhu Shengwen was sent to a maximum security jail for six weeks from July 1997. There, he says, he was held first in solitary confinement in appalling conditions, then subjected to daily torment and beatings by two convicted criminal prisoners assigned to watch him. Ordered to sit straight without moving from morning to evening, he was reportedly punched and kicked by his two minders if he made any movement. Throughout that period,

he says, he was denied permission to wash and constantly suffered from hunger and thirst, diarrhoea and recurrent high fever. His situation improved only when he accepted again to sign a confession.

Despite the allegations made in Zhu Shengwen's statement, the Harbin Intermediate People's Court proceeded to convict and sentence him in late April 1998. No investigation into the allegations of torture is known to have been carried out, and the court apparently used Zhu's "confession" as evidence. His family reportedly sent appeals to the authorities in Beijing for an investigation of his treatment and a review of the case, but these have gone unanswered. Zhu is now appealing against his conviction and sentence.

RECOMMENDED ACTION: Please send telegrams/telexes/express/letters in English or your own language:

- expressing deep concern at allegations that Zhu Shengwen, former vice-mayor of Harbin, was tortured to extract a confession from him, and that he and his wife Fan Zhen have been denied access to their family since their arrest in October 1996 and denied the minimum safeguards provided by Chinese law for a fair judicial process;
- urging the authorities to ensure the safety of Zhu Shengwen, Fan Zhen and any witnesses who have been detained in connection with this case, by immediately transferring them from Heilongjiang province to a safe detention place elsewhere;
- urging the authorities to launch a thorough and impartial investigation into the allegations of torture and other illegalities in Zhu Shengwen's case, ensuring that the investigation is carried out by authorities from outside Heilongjiang province and that its proceedings and findings are made public.

APPEALS TO:

President of the People's Republic of China

JIANG Zemin Guojia Zhuxi

Beijingshi, People's Republic of China

Telegrams: President Jiang Zemin, Beijing, China

Salutation: Your Excellency

Premier of the People's Republic of China

ZHU Rongji Zongli

Guowuyuan

9 Xihuangchenggenbeijie

Beijingshi 100032

People's Republic of China

Telegrams: Premier Zhu Rongji, Beijing, China

Telexes: 210070 FMPC CN / 22478 MFERT CN

Salutation: Your Excellency

COPIES TO: diplomatic representatives of People's Republic of China accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 13 August 1998.